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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

BY: 8 September 2003 Date: Phylane A. Bullock  
MAIL STOP AF

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re:	Patent Application of Philip A. Gale <i>et al.</i>	:	Group Art Unit 1626
		:	
Conf. No.:	3407	:	
		:	
Appln. No.	09/838,998	:	Examiner: Robert Gerstl
		:	
Filed:	April 20, 2001	:	
		:	Attorney Docket
For:	CALIXPYRROLES	:	No. 045404-1U1
		:	

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TC 1700

**NOTICE OF APPEAL FROM PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Decision dated August 19, , 2003, Paper No. 55, of the Primary Examiner finally rejecting claims 118-140.

The items checked below are appropriate:

- ☒ A Petition for Extension of Time up to and including 8 September 2003 to file the Notice of Appeal and the balance of the requisite extension fee under 37 C.F.R. § 1.17(a)(3) in the amount of \$ 260.00 are enclosed.
- ☒ Notice of Appeal fee is enclosed (if applicable)
  - ☒ \$160.00 - Small Entity has been previously established in this case.
  - ☐ \$320.00.
  - ☐ Not required (fee paid in prior appeal).

- ☐ An oral hearing before the Board of Appeals is respectfully requested. Requisite fee is enclosed.
- ☐ \$140.00 – Small Entity has been previously established in this case.
- ☐ \$280.00.
- ☐ Our firm's checks in the amounts of \$0.00 and \$0.00 are enclosed.
- ☒ The Commissioner is hereby authorized to charge Deposit Account No. 50-1017 (Billing No. 045404.0003) as noted below. A copy of this document is enclosed.
- ☒ Notice of Appeal fee in the amount of \$ 160.00.
- ☒ Any deficiencies or overpayments in the above-calculated fee.

Respectfully submitted,

**PHILIP A. GALE, et al.**

8 Sept. 2003  
(Date)

By:

KRISTYNE A. BULLOCK

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